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# United Nations Relief and Works Agency for Palestine Refugees in the Near East

## Report of the Special Political and Decolonization Committee (Fourth Committee)

*Rapporteur*: Mr. Bernard **Tanoh-Boutchoué** (Côte d'Ivoire)

## I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 17th, 18th and 24th meetings, on 9, 11 and 19 November 1998 (see A/C.4/53/SR.17, 18 and 24). The general debate on the item was held at the 17th and 18th meetings, on 9 and 11 November (see A/C.4/53/SR.17 and 18).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1997 to 30 June 1998;[1]

(b) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/59 (A/53/471);

(c) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/60 (A/53/472);

[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 13* (A/53/13).

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(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/63 (A/53/551);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/62 (A/53/644);

(f) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/53/569);

(g) Note by the Secretary-General transmitting the report of the United Nations Conciliation Commission for Palestine, in accordance with paragraph 6 of General Assembly resolution 512 (VI) and paragraph 3 of Assembly resolution 52/57 (A/53/518 and Corr.1).

4. At its 17th meeting, on 9 November, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who introduced his report (see A/C.4/53/SR.17).

5. At the same meeting, the representative of Norway, in his capacity as Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group (see A/C.4/53/SR.17).

6. Also at the same meeting, the Permanent Observer of Palestine made a statement (see A/C.4/53/SR.17).

7. At the 18th meeting, on 11 November, the Commissioner-General of UNRWA made a concluding statement (see A/C.4/53/SR.18).

# II. Consideration of proposals

## A. Draft resolution A/C.4/53/L.9

8. At the 24th meeting, on 19 November, the representative of Austria, on behalf of *Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg,* the *Netherlands, Portugal, Spain, Sweden* and the *United Kingdom of Great Britain and Northern Ireland,* introduced a draft resolution entitled "Assistance to Palestine refugees" (A/C.4/53/L.9).

9. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.9 by a recorded vote of 122 to 1, with 1 abstention (see para. 22, draft resolution I). The voting was as follows:[2, 3]

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Cape Verde, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan,

[2] The delegation of the Republic of Moldova subsequently indicated that, had it been present, it would have voted in favour of draft resolutions A/C.4/53/L.9 to A/C.4/53/L.15. The delegation of Nigeria subsequently indicated that, had it been present, it would have voted in favour of draft resolutions A/C.4/53/L.9 to A/C.4/53/L.14.

[3] The delegation of the Congo subsequently indicated that it had intended to vote in favour.

Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against*:

Israel.

*Abstaining*:

United States of America.

## B. Draft resolution A/C.4/53/L.10

10. At the 24th meeting, on 19 November, the representative of the Netherlands, on behalf of *Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg,* the *Netherlands, Norway, Portugal, Spain, Sweden, Turkey* and the *United Kingdom of Great Britain and Northern Ireland,* subsequently joint by *Australia,* introduced a draft resolution entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/53/L.10).

11. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.10 without a vote (see para. 22, draft resolution II).

## C. Draft resolution A/C.4/53/L.11

12. At the 24th meeting, on 19 November, the representative of Indonesia, on behalf of *Bahrain, Bangladesh, Brunei Darussalam,* the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Qatar, Saudi Arabia,* the *Sudan, Tunisia,* the *United Arab Emirates, Yemen* and *Palestine,* introduced a draft resolution entitled "Persons displaced as a result of the June 1967 and subsequent hostilities" (A/C.4/53/L.11).

13. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.11 by a recorded vote of 122 to 2 (see para. 22, draft resolution III). The voting was as follows:[2, 3]

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg,

Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

None.

## D. Draft resolution A/C.4/53/L.12

14. At the 24th meeting, on 19 November, the representative of Indonesia, on behalf of *Bangladesh, Brunei Darussalam,* the *Comoros, Cuba, Djibouti, Egypt, India, Indonesia, Jordan, Malaysia, Morocco, Qatar, Saudi Arabia,* the *Sudan, Tunisia,* the *United Arab Emirates, Yemen* and *Palestine*, introduced a draft resolution entitled "Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees" (A/C.4/53/L.12).

15. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.12 by a recorded vote of 126 to none, with 1 abstention (see para. 22, draft resolution IV). The voting was as follows:[2]

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against*:

None.

*Abstaining*:

Israel.

## E. Draft resolution A/C.4/53/L.13

16. At the 24th meeting, on 19 November, the representative of Indonesia, on behalf of *Bahrain, Bangladesh,* the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Qatar, Saudi Arabia,* the *Sudan, Tunisia,* the *United Arab Emirates, Yemen* and *Palestine*, introduced a draft resolution entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/53/L.13).

17. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.13 by a recorded vote of 124 to 2, with 1 abstention (see para. 22, draft resolution V). The voting was as follows:[2]

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Zambia.

## F. Draft resolution A/C.4/53/L.14

18. At the 24th meeting, on 19 November, the representative of Indonesia, on behalf of *Bahrain, Bangladesh, Brunei Darussalam,* the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Qatar, Saudi Arabia,* the *Sudan, Tunisia,* the *United Arab*

*Emirates, Yemen* and *Palestine*, introduced a draft resolution entitled "Palestine refugees' properties and their revenues" (A/C.4/53/L.14).

19. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.14 by a recorded vote of 123 to 2 (see para. 22, draft resolution VI). The voting was as follows:[2, 4]

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

None.

## G. Draft resolution A/C.4/53/L.15

20. At the 24th meeting, on 19 November, the representative of Indonesia, on behalf of *Bahrain, Bangladesh, Brunei Darussalam,* the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Qatar, Saudi Arabia,* the *Sudan, Tunisia,* the *United Arab Emirates, Yemen* and *Palestine*, introduced a draft resolution entitled "University of Jerusalem 'Al-Quds' for Palestine refugees" (A/C.4/53/L.15).

21. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.15 by a recorded vote of 125 to 2, with 1 abstention (see para. 22, draft resolution VII). The voting was as follows:[2]

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Georgia,

[4] The delegation of Italy subsequently indicated that it had intended to vote in favour.

Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Zambia.

# III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

22. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

## Draft resolution I

### Assistance to Palestine refugees

*The General Assembly*,

*Recalling* its resolution 52/57 of 10 December 1997 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

*Taking note* of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1997 to 30 June 1998,[5]

*Welcoming* the signature in Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the people of Palestine, of the Declaration of Principles on Interim Self-Government Arrangements[6] and the subsequent implementation agreements, and also the

[5] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 13* (A/53/13).

[6] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

signature of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip at Washington, D.C., on 28 September 1995,[7]

*Encouraging* the Multilateral Working Group on Refugees of the Middle East peace process to continue its important work,

*Welcoming* the completion of the transfer of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to Gaza, to its area of operations,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194 (III), has not yet been effected and that, therefore, the situation of the refugees continues to be a matter of concern;

2. *Expresses its thanks* to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and to private organizations for their valuable work in assisting refugees;

3. *Notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1999;

4. *Notes* the significant success of the Peace Implementation Programme of the Agency since the signing of the Declaration of Principles on Interim Self-Government Arrangements,[6] and stresses the importance that contributions to this Programme are not at the expense of the General Fund;

5. *Welcomes* strengthened cooperation between the Agency and the World Bank and other specialized agencies, and calls upon the Agency to make a decisive contribution towards giving a fresh impetus to the economic and social stability of the occupied territories;

6. *Urges* all Member States to extend and expedite aid and assistance with a view to the economic and social development of the Palestinian people and the occupied territories;

7. *Reiterates its deep concern* regarding the persisting critical financial situation of the Agency, as outlined in the report of the Commissioner-General;[5]

8. *Commends* the efforts of the Commissioner-General to move towards budgetary transparency and internal efficiency, and hopes that such moves will continue;

9. *Notes with profound concern* that the structural deficit problem confronting the Agency portends an almost certain decline in the living conditions of the Palestine refugees and that it, therefore, has possible consequences for the peace process;

10. *Calls upon* all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, urges non-contributing Governments to contribute regularly, and encourages contributing Governments to consider increasing their regular contributions;

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[7] A/51/889–S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

11. *Decides* to extend the mandate of the Agency until 30 June 2002, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III).

## Draft resolution II

### Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

*The General Assembly,*

*Recalling* its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 52/58 of 10 December 1997 and the previous resolutions on this question,

*Recalling also* its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[8]

*Having considered* the report of the Working Group,[9]

*Taking into account* the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1997 to 30 June 1998,[10]

*Deeply concerned* about the persisting critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to Palestine refugees, including the emergency-related programmes,

*Emphasizing* the continuing need for extraordinary efforts in order to maintain, at least at the current minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. *Commends* the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;

2. *Takes note with approval* of the report of the Working Group;[9]

3. *Requests* the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. *Requests* the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

## Draft resolution III

### Persons displaced as a result of the June 1967 and subsequent hostilities

*The General Assembly,*

*Recalling* its resolutions 2252 (ES-V) of 4 July 1967 and 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

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[8] A/36/866 and Corr.1; see also A/37/591.

[9] A/53/569.

[10] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 13* (A/53/13).

*Recalling also* Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

*Taking note* of the report of the Secretary-General submitted in pursuance of its resolution 52/59 of 10 December 1997,[11]

*Taking note also* of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1997 to 30 June 1998,[12]

*Concerned* about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

*Taking note* of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization,[13] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses the hope* for an accelerated return of displaced persons through the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements;[13]

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-fourth session on the progress made with regard to the implementation of the present resolution.

## Draft resolution IV

### Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

*The General Assembly*,

*Recalling* its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

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[11] A/53/471.

[12] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 13* (A/53/13).

[13] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

*Recalling also* its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991, 47/69 D of 14 December 1992, 48/40 D of 10 December 1993, 49/35 D of 9 December 1994, 50/28 D of 6 December 1995, 51/127 of 13 December 1996 and 52/60 of 10 December 1997,

*Cognizant* of the fact that the Palestine refugees have, for the last five decades, lost their homes, lands and means of livelihood,

*Having considered* the report of the Secretary-General,[14]

*Having also considered* the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1997 to 30 June 1998,[15]

1. *Urges* all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. *Strongly appeals* to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. *Expresses its appreciation* to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions on this question;

4. *Invites* the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. *Appeals* to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. *Appeals* to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. *Requests* the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

## Draft resolution V

### Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

*The General Assembly,*

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[14] A/53/472.

[15] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 13* (A/53/13).

*Recalling* its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions,

*Recalling also* the relevant Security Council resolutions,

*Having considered* the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1997 to 30 June 1998,[16]

*Taking note* of the letter dated 28 September 1998 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General, contained in the report of the Commissioner-General,[17]

*Having considered* the reports of the Secretary-General submitted in pursuance of its resolutions 48/40 E,[18] 48/40 H[19] and 48/40 J[20] of 10 December 1993 and 49/35 C of 9 December 1994,[21]

*Recalling* Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[22]

*Affirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[23] to the Palestinian territory occupied since 1967, including Jerusalem,

*Aware* of the fact that Palestine refugees have, for over five decades, lost their homes, lands and means of livelihood,

*Also aware* of the continuing needs of Palestine refugees throughout the occupied Palestinian territory and in the other fields of operation, namely, in Lebanon, Jordan and the Syrian Arab Republic,

*Further aware* of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

*Deeply concerned* about the critical financial situation of the Agency and its effect on the continuity of provision of necessary Agency services to the Palestine refugees, including the emergency-related programmes,

*Aware* of the work of the new Peace Implementation Programme of the Agency,

*Recalling* the signing in Washington, D.C., on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the state of Israel and the Palestine Liberation Organization,[24] and the subsequent implementation

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[16] Ibid.

[17] Ibid., p. ix.

[18] A/49/440.

[19] A/49/442.

[20] A/49/443.

[21] A/50/451.

[22] Resolution 22 A (I).

[23] United Nations, *Treaty Series*, vol. 75, No. 973.

[24] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[25]

*Taking note* of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[26]

*Aware* of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all the staff of the Agency, for their tireless efforts and valuable work;

2. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. *Welcomes* the completion of the transfer of the headquarters of the Agency to Gaza and the signing of the Headquarters Agreement between the Agency and the Palestinian Authority;

4. *Acknowledges* the support of the host Government and the Palestine Liberation Organization for the Agency in the discharge of its duties;

5. *Calls upon* Israel, the occupying Power, to accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[23] and to abide scrupulously by its provisions;

6. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[22] with regard to the safety of the personnel of the Agency and the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the occupied Palestinian territory, including Jerusalem;

7. *Calls once again upon* the Government of Israel to compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side;

8. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the occupied Palestinian territory;

9. *Notes* that the new context created by the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization[24] and subsequent implementation Agreements has had major consequences for the activities of the Agency, which is henceforth called upon, in close cooperation with the United Nations Special Coordinator in the Occupied Territories, the specialized agencies and the World Bank, to continue to contribute towards the development of economic and social stability in the occupied territory;

10. *Notes also* that the functioning of the Agency remains essential in all fields of operation;

11. *Notes further* the significant success of the Peace Implementation Programme of the Agency;

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[25] A/51/889–S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

[26] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

12. *Expresses concern* over the remaining austerity measures which have affected the quality and level of some of the services of the Agency;

13. *Requests* the Commissioner-General to consider the possibility of modernizing the archives of the Agency;

14. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease current financial constraints and to support the Agency in maintaining the provision of the most basic and effective assistance to the Palestine refugees.

## Draft resolution VI

### Palestine refugees' properties and their revenues

*The General Assembly*,

*Recalling* its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

*Taking note* of the report of the Secretary-General in pursuance of its resolution 52/62 of 10 December 1997,

*Taking note also* of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 1997 to 31 August 1998,[27]

*Recalling* that the Universal Declaration of Human Rights[28] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

*Recalling in particular* its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

*Taking note* of the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[29] and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

*Recalling* that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[30] to commence negotiations on permanent status issues, including the important issue of the refugees, and calling for the commencement of those negotiations,

1. *Reaffirms* that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity;

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[27] A/53/518 and Corr.1, annex.

[28] Resolution 217 A (III).

[29] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[30] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel, expresses its appreciation for the work done to preserve and modernize the existing records of the Commission, and requests the Secretary-General to complete this task;

3. *Calls once more upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

## Draft resolution VII

### University of Jerusalem "Al-Quds" for Palestine refugees

*The General Assembly*,

*Recalling* its resolution 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991, 47/69 J of 14 December 1992, 48/40 I of 10 December 1993, 49/35 G of 9 December 1994, 50/28 G of 6 December 1995, 51/130 of 13 December 1996 and 52/63 of 10 December 1997,

*Having considered* the report of the Secretary-General,[31]

*Having also considered* the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1997 to 30 June 1998,[32]

1. *Emphasizes* the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. *Requests* the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. *Calls once more upon* Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the progress made in the implementation of the present resolution.

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[31] A/53/551.

[32] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 13* (A/53/13).

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**Fifty-third session**
Agenda item 84

# Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

## Report of the Special Political and Decolonization Committee (Fourth Committee)

*Rapporteur*: Mr. Bernard **Tanoh-Boutchoué** (Côte d'Ivoire)

## I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 22nd to 24th meetings, on 18 and 19 November 1998 (see A/C.4/53/SR.22–24). The general debate on the item was held at the 22nd and 23rd meetings, on the same dates (see A/C.4/53/SR.22 and 23).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/64 (A/53/259);

(b) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/68 (A/53/260);

(c) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/67 (A/53/264);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 52/65 (A/53/660);

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(e) Notes by the Secretary-General transmitting the thirtieth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/53/661) and the periodic reports of the Special Committee covering the periods from 30 August to 31 December 1997 (A/53/136) and from 1 January to 31 May 1998 (A/53/136/Add.1);

(f) Letter dated 8 April 1998 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General, transmitting the final communiqué of the twenty-fifth session of the Islamic Conference of Foreign Ministers, held at Doha from 15 to 17 March 1998 (A/53/95–S/1998/311);

(g) Letter dated 31 August 1998 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/53/299–S/1998/822);

(h) Letter dated 2 November 1998 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/53/567–S/1998/1024);

(i) Letter dated 2 November 1998 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/53/568–S/1998/1025);

(j) Letter dated 13 November 1998 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/53/671–S/1998/1075).

4. At the 22nd meeting, on 18 November, the representative of Sri Lanka, in his capacity as Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the reports of that Committee (A/53/136 and Add.1) (see A/C.4/53/SR.22).

5. At the 23rd meeting, on 19 November, the Permanent Observer of Palestine to the United Nations made a statement (see A/C.4/53/SR.23).

# II. Consideration of proposals

## A. Draft resolution A/C.4/53/L.16

6. At the 24th meeting, on 19 November, the representative of Cuba, on behalf of *Bangladesh, Brunei Darussalam*, the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Saudi Arabia*, the *Sudan, Tunisia*, the *United Arab Emirates, Yemen* and *Palestine*, subsequently joined by *Bahrain*, introduced a draft resolution entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" (A/C.4/53/L.16).

7. In introducing the draft resolution, the representative of Cuba orally revised operative paragraph 4 by deleting the word "recent" before the word "deterioration".

8. At the same meeting, statements were made by the representatives of Austria, Oman and Egypt (see A/C.4/53/SR.24).

9. At the same meeting, the representative of Chile requested a separate vote on operative paragraph 4 of the draft resolution, as orally revised.

10. Also at the same meeting, the representative of Cuba further orally revised the draft resolution by replacing, in operative paragraph 4, the words "impasse facing" by the words "difficulties confronting". The representative of Chile subsequently withdrew his request for a separate vote.

11. At its 24th meeting, the Committee adopted draft resolution A/C.4/53/L.16, as orally revised, by a recorded vote of 72 to 2, with 55 abstentions (see para. 21, draft resolution I).[1] The voting was as follows:

*In favour*:

Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Benin, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Qatar, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Ecuador, Ethiopia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mongolia, Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Swaziland, Sweden, The Former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zambia.

## B. Draft resolution A/C.4/53/L.17

12. At the 24th meeting, on 19 November, the representative of Cuba, on behalf of *Bangladesh, Brunei Darussalam*, the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Saudi Arabia, Tunisia*, the *United Arab Emirates, Yemen* and *Palestine*, subsequently joined by *Bahrain*, introduced a draft resolution entitled "Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories" (A/C.4/53/L.17).

13. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.17 by a recorded vote of 127 to 2, with 1 abstention (see para. 21, draft resolution II).[1] The voting was as follows:

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, China, Colombia,

[1] A statement in explanation of vote on the draft resolution was made by the representative of Austria (on behalf of the States Members of the United Nations that are members of the European Union) and a statement was made by the representative of the Syrian Arab Republic (see A/C.4/53/SR.24).

Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Swaziland.

## C. Draft resolution A/C.4/53/L.18

14. At the 24th meeting, on 19 November, the representative of Cuba, on behalf of *Bangladesh, Brunei Darussalam*, the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Saudi Arabia, Tunisia*, the *United Arab Emirates, Yemen* and *Palestine*, subsequently joined by *Bahrain*, introduced a draft resolution entitled "Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan" (A/C.4/53/L.18).

15. In introducing the draft resolution, the representative of Cuba orally revised it by adding a new operative paragraph 5, which read:

> "5. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution".

16. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.18, as orally revised, by a recorded vote of 127 to 2, with 1 abstention (see para. 21, draft resolution III).[1] The voting was as follows:

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania,

Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Swaziland.

## D. Draft resolution A/C.4/53/L.19

17. At the 24th meeting, on 19 November, the representative of Cuba, on behalf of *Bangladesh, Brunei Darussalam*, the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Morocco, Saudi Arabia, Tunisia*, the *United Arab Emirates, Yemen* and *Palestine*, subsequently joined by *Bahrain*, introduced a draft resolution entitled "Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem" (A/C.4/53/L.19).

18. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.19 by a recorded vote of 126 to 2, with 2 abstentions (see para. 21, draft resolution IV).[1] The voting was as follows:

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Swaziland, Zambia.

## E. Draft resolution A/C.4/53/L.20

19. At the 24th meeting, on 19 November, the representative of Cuba, on behalf of *Bangladesh, Brunei Darussalam*, the *Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia*, the *Sudan*, the *Syrian Arab Republic, Tunisia*, the *United Arab Emirates, Yemen* and *Palestine*, subsequently joined by *Bahrain* and *Pakistan*, introduced a draft resolution entitled "The occupied Syrian Golan" (A/C.4/53/L.20).

20. At the same meeting, the Committee adopted draft resolution A/C.4/53/L.20 by a recorded vote of 127 to 1, with 3 abstentions (see para. 21, draft resolution V).[1] The voting was as follows:

*In favour*:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel.

*Abstaining*:

Swaziland, United States of America, Zambia.

# III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

21. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

## Draft resolution I

### Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

*The General Assembly*,

*Guided* by the purposes and principles of the Charter of the United Nations,

*Guided also* by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[3] and the International Covenants on Human Rights,[4]

*Recalling* its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

*Recalling also* relevant resolutions of the Security Council,

*Aware* of the lasting impact of the uprising (intifada) of the Palestinian people,

*Convinced* that occupation itself represents a primary violation of human rights,

*Having considered* the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

*Recalling* the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[7] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[8]

*Expressing the hope* that, with the progress of the peace process, the Israeli occupation will be brought to an end and therefore violation of the human rights of the Palestinian people will cease,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Demands* that Israel cooperate with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period;

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[2] United Nations, *Treaty Series*, vol. 75, No. 973.

[3] Resolution 217 A (III).

[4] Resolution 2200 A (XXI), annex.

[5] A/53/136 and Add.1 and A/53/661.

[6] A/53/259, A/53/260, A/53/264 and A/53/660.

[7] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[8] A/51/889–S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

4. *Expresses concern* about the deterioration of the situation in the occupied Palestinian territory, including Jerusalem, as a result of Israeli practices and measures and the difficulties confronting the Middle East peace process;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory, including Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(*a*) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(*e*) To report to the General Assembly at its fifty-fourth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

## Draft resolution II

**Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories**

*The General Assembly*,

*Recalling* its relevant resolutions,

*Bearing in mind* the relevant resolutions of the Security Council,

*Having considered* the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[9] and the relevant reports of the Secretary-General,[10]

*Considering* that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

*Noting* the convening of the meeting of experts of the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[11] at Geneva, from 27 to 29 October 1998, at the initiative of the Government of Switzerland in its capacity as the depository of the Convention, concerning general problems of application of the Convention in general and, in particular, in occupied territories,

*Stressing* that Israel, the occupying Power, should comply strictly with its obligations under international law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[11] is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the *de jure* applicability of the Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all States parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,[12] to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the recommendation contained in its resolutions ES–10/3 of 15 July 1997, ES–10/4 of 13 November 1997 and ES–10/5 of 17 March 1998 with regard to the convening of a conference of the High Contracting Parties to the Convention on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem, and to ensure its respect in accordance with common article 1;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

## Draft resolution III

**Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan**

*The General Assembly*,

*Guided* by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

[9] A/53/136 and Add.1 and A/53/661.

[10] A/53/259, A/53/260, A/53/264 and A/53/660.

[11] United Nations, *Treaty Series*, vol. 75, No. 973.

[12] Ibid., Nos. 970–973.

*Recalling* its relevant resolutions, including those adopted at its tenth emergency special session, as well as relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

*Reaffirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[13] to the occupied Palestinian territory, including Jerusalem and to the occupied Syrian Golan,

*Aware* of the Middle East peace process started at Madrid and the agreements reached between the parties, in particular the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[14] and the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,[15]

*Expressing grave concern* about the decision of the Government of Israel to resume settlement activities, including the construction of the new settlement in Jebel Abu Ghneim, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties,

*Gravely concerned in particular* about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

1. *Reaffirms* that Israeli settlements in the Palestinian territory, including Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[13] to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Demands* complete cessation of the construction of the new settlement in Jebel Abu Ghneim and of all Israeli settlement activities in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;

4. *Stresses* the need for full implementation of Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including, *inter alia*, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

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[13] United Nations, *Treaty Series*, vol. 75, No. 973.

[14] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[15] A/51/889–S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

## Draft resolution IV

### Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem

*The General Assembly*,

*Recalling* its relevant resolutions, including those adopted at its tenth emergency special session, and the resolutions of the Commission on Human Rights,

*Bearing in mind* the relevant resolutions of the Security Council, the most recent of which are resolutions 904 (1994) of 18 March 1994 and 1073 (1996) of 28 September 1996,

*Having considered* the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[16] and the reports of the Secretary-General,[17]

*Aware* of the responsibility of the international community to promote human rights and ensure respect for international law,

*Reaffirming* the principle of the inadmissibility of the acquisition of territory by force,

*Reaffirming also* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[18] to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

*Recalling* the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[19] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[20]

*Noting* the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho Area in accordance with the agreements reached between the parties, and the initiation of the Palestinian Authority in those areas,

*Noting also* the redeployment of the Israeli army from six cities in the West Bank,

*Concerned* about the continuing violation of the human rights of the Palestinian people by Israel, the occupying Power, especially the use of collective punishment, closure of areas, annexation and establishment of settlements and the continuing actions by it designed to change the legal status, geographical nature and demographic composition of the occupied Palestinian territory, including Jerusalem,

*Expressing its deep concern in particular* about the closure by the Israeli authorities of the occupied Palestinian territory, including Jerusalem, which prevents the freedom of movement of persons and goods and is the cause of great economic and social hardship, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the agreements reached between the two sides,

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[16] A/53/136 and Add.1 and A/53/661.

[17] A/53/259, A/53/260, A/53/264 and A/53/660.

[18] United Nations, *Treaty Series*, vol. 75, No. 973.

[19] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[20] A/51/889–S/1997/357, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for April, May and June 1997*, document S/1997/357.

*Convinced* of the positive impact of a temporary international or foreign presence in the occupied Palestinian territory for the safety and protection of the Palestinian people,

*Expressing its appreciation* to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

*Convinced* of the need for the full implementation of Security Council resolutions 904 (1994) and 1073 (1996),

1. *Determines* that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[18] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity and that such measures should cease immediately;

2. *Demands* that Israel, the occupying Power, cease all practices and actions which violate the human rights of the Palestinian people;

3. *Stresses* the need to preserve the territorial integrity of all of the occupied Palestinian territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

4. *Calls upon* Israel, the occupying Power, to accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned, in line with agreements reached;

5. *Calls* for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people, pending the extension of the self-government arrangements to the rest of the occupied territory;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

## Draft resolution V

### The occupied Syrian Golan

*The General Assembly,*

*Having considered* the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[21]

*Deeply concerned* that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

*Recalling* Security Council resolution 497 (1981) of 17 December 1981,

*Recalling also* its previous relevant resolutions, the last of which was resolution 52/68 of 10 December 1997,

*Having considered* the report of the Secretary-General submitted in pursuance of resolution 52/68,[22]

*Recalling* its previous relevant resolutions in which, *inter alia,* it called upon Israel to put an end to its occupation of the Arab territories,

[21] A/53/136 and Add.1 and A/53/661.

[22] A/53/260.

*Reaffirming once more* the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

*Reaffirming* that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

*Reaffirming also* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[23] to the occupied Syrian Golan,

*Bearing in mind* Security Council resolution 237 (1967) of 14 June 1967,

*Welcoming* the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolution 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on the Syrian and Lebanese tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, *inter alia*, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[23] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protections of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

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[23] United Nations, *Treaty Series*, vol. 75, No. 973.